

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|  |   |                                      |
|--|---|--------------------------------------|
| <b>OSCAR GAY,</b>                      | ) |                                      |
| <b>Plaintiff,</b>                      | ) |                                      |
| <b>v.</b>                              | ) | <b>CIVIL ACTION NO. 10-0116-KD-B</b> |
| <b>WELLS FARGO BANK, N.A., et al.,</b> | ) |                                      |
| <b>Defendants.</b>                     | ) |                                      |

**ORDER**

On June 17, 2010, plaintiff Oscar Gay informed the Court that this action has settled as to all defendants but thirty (30) days were necessary to complete the settlement documents.

Therefore, upon consideration and pursuant to the provisions of Rule 41(a)(2) of the Federal Rules of Civil Procedure, this action is **DISMISSED with prejudice** from the active docket of this Court **subject to the right of any party to reinstate the action within thirty (30) days of the date of this order** should the settlement agreement not be consummated.

No other order shall be forthcoming from the Court except upon application by either party for final judgment as prescribed by Rule 58, Federal Rules of Civil Procedure.

Each party shall bear their own costs, expenses, and attorney fees unless agreed otherwise in the settlement agreement.

**DONE and ORDERED** this June 17, 2010.

s / Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**